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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/757,765	01/10/2001	Joseph W. Hurdley JR.		8420

7590 07/18/2002  
James W. Hiney, Esq.  
Suite 1100  
1872 Pratt Drive  
Blacksburg, VA 24060

RECEIVED  
JAN 24 2003  
TC 1700

EXAMINER

TOOMER, CEPHIA D

ART UNIT	PAPER NUMBER
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1714

DATE MAILED: 07/18/2002

Please find below and/or attached an Office communication concerning this application or proceeding.



UNITED STATES PATENT AND TRADEMARK OFFICE

UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY AND  
DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, DC 20231  
www.uspto.gov



Paper No.

Notice of Non-Compliant Amendment (37 CFR 1.121)

The amendment filed on 06/24/02 is considered non-compliant because it has failed to meet the requirements of 37 CFR 1.121, as amended on September 8, 2000 (see 65 Fed. Reg. 54603, Sept. 8, 2000, and 1238 O.G. 77, Sept. 19, 2000). In order for the amendment to be compliant, applicant must supply the following omissions or corrections in response to this notice.

THE FOLLOWING ITEMS ARE REQUIRED FOR COMPLIANCE WITH RULE 1.121 (APPLICANT NEED NOT RE-SUBMIT THE ENTIRE AMENDMENT):

- ☒ 1. A clean version of the replacement paragraph(s)/section(s) is required. See 37 CFR 1.121(b)(1)(ii).
- ☒ 2. A marked-up version of the replacement paragraph(s)/section(s) is required. See 37 CFR 1.121(b)(1)(iii).
- ☒ 3. A clean version of the amended claim(s) is required. See 37 CFR 1.121(c)(1)(i).
- ☒ 4. A marked-up version of the amended claim(s) is required. See 37 CFR 1.121(c)(1)(ii).

Explanation: Please request cancelled claims Appr. / Amending Specification should be done by paragraph only. Please add all new claims on claim copy.

(LIE: Please provide specific details for correction to assist the applicant. For example, "the clean version of claim 6 is missing.")

For further explanation of the amendment format required by 37 CFR 1.121, see MPEP § 714 and the USPTO website at <http://www.uspto.gov/web/offices/dcom/olia/pbg/sampleaf.pdf>. ~~A condensed version of a sample amendment format is attached.~~

- ☐ **PRELIMINARY AMENDMENT:** Unless applicant supplies the omission or correction to the preliminary amendment in compliance with revised 37 CFR 1.121 noted above within ONE MONTH of the mail date of this letter, examination on the merits may commence without entry of the originally proposed preliminary amendment. This notice is not an action under 35 U.S.C. 132, and this ONE MONTH time limit is not extendable.
- ☒ **AMENDMENT AFTER NON-FINAL ACTION:** Since the above-mentioned reply appears to be *bona fide*, applicant is given a TIME PERIOD of ONE MONTH or THIRTY DAYS from the mailing of this notice, whichever is longer, within which to supply the omission or correction noted above in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

Yolanda Middleton / TC 1700  
Legal Instruments Examiner (LIE)



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JAN 24 2003  
TC 1700

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Title: Synfuel Composition and Method of Using Same	)	
	)	
Inventor: Hundley, J.	)	Art Unit 1714
	)	
Serial No. 09/757,765	)	Ex. C. Toomer
	)	
Filed: Jan. 10, 2001	)	

To: Commissioner of Patents & Trademarks  
2011 So. Clark Place  
Crystal Plaza 2, Room 1 BO 3, Mail Room  
Arlington, VA 22202

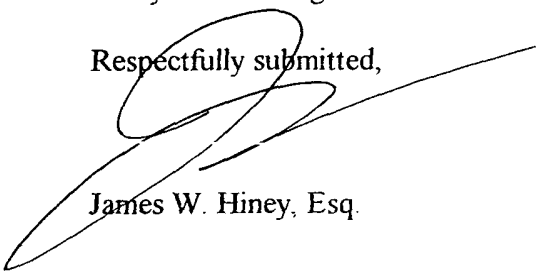
Response to Notice to File Corrected Application Papers

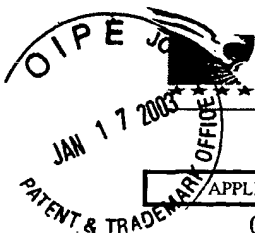
In response to the Notice to File Corrected Application Papers, mailed on October 8<sup>th</sup>, 2002, the attached abstract is filed herewith. In addition, a copy of the Notice is also filed herewith.

It is noted that the Prior Send Notice is withdrawn. One wonders why this Notice is only sent now, some 21 months after the filing date. One wonders why the Examiner did not include such a request in any office action. The abstract was filed but evidently lost by the Office. Such is the normal occurrence of Office procedures these days, it seems.

If there is any other matter to be taken care of, the Office is earnestly solicited to notify the undersigned of it in a TIMELY fashion.

Respectfully submitted,

  
James W. Hiney, Esq.

UNITED STATES  
PATENT AND  
TRADEMARK OFFICECommissioner for Patents  
Washington, DC 20231  
www.uspto.gov

APPLICATION NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
09/757,765	01/10/2001	Joseph W. Hundley JR.	

James W. Hiney, Esq.  
Suite 1100  
1872 Pratt Drive  
Blacksburg, VA 24060

CONFIRMATION NO. 8420

## WITHDRAWAL NOTICE



\*OC000000008917025\*

Date Mailed: 10/08/2002

## WITHDRAWAL OF PREVIOUSLY SENT NOTICE

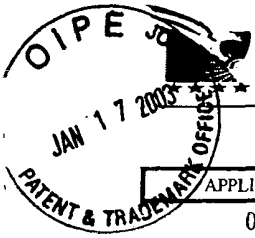
The Notice mailed on 03/01/2001 was sent in error and is hereby withdrawn. A corrected Notice is enclosed. The time period for reply runs from the mail date of the corrected Notice. We apologize for any inconvenience this caused.

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*A copy of this notice **MUST** be returned with the reply.*

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Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY



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Commissioner for Patents  
Washington, DC 20231  
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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/757,765	01/10/2001	Joseph W. Hundley JR.	

James W. Hiney, Esq.  
Suite 1100  
1872 Pratt Drive  
Blacksburg, VA 24060

CONFIRMATION NO. 8420

**FORMALITIES LETTER**



\*OC000000008917041\*

Date Mailed: 10/08/2002

**NOTICE TO FILE CORRECTED APPLICATION PAPERS**

***Filing Date Granted***

An application number and filing date have been accorded to this application. The application is informal since it does not comply with the regulations for the reason(s) indicated below. Applicant is given TWO MONTHS from the date of this Notice within which to correct the informalities indicated below. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

The required item(s) identified below must be timely submitted to avoid abandonment:

- An abstract of the technical disclosure not exceeding 150 words in length and commencing on a separate sheet in compliance with 37 CFR 1.72(b) is required. An abstract was not provided for this application.

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center

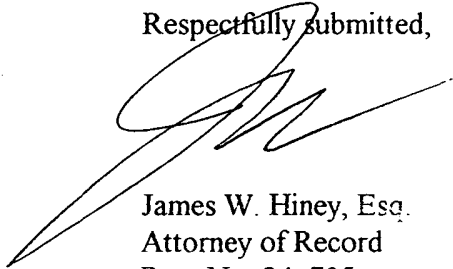
Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY

Please put the Patent Office stamp on the attached post card and deposit it with the United States Postal Service.

Dated: August 15, 2002

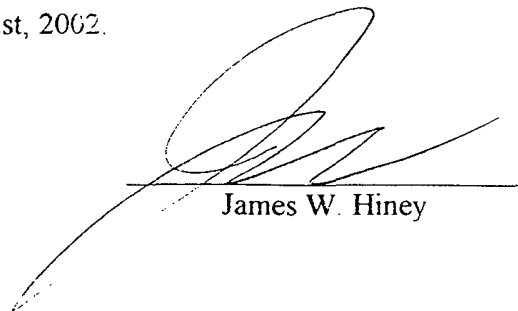
Respectfully submitted,



James W. Hiney, Esq.  
Attorney of Record  
Reg. No. 24, 705  
1872 Pratt Drive, Suite 1100  
Blacksburg, VA 24060  
(540) 552-4400

#### **Certification of Mailing**

I, James W. Hiney, do hereby certify that an executed copy of this Response to the Notification of July 18, 2002, together with all the attachments, A through D, was deposited with the United States Postal Service, Express Mail Postage Prepaid, this 15<sup>th</sup> day of August, 2002.

  
James W. Hiney



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JAMES W. HINEY  
TECHNOLOGY LAW OFFICES OF VA

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JAMES W. HINEY  
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MIDDLEBURG, VIRGINIA 20118

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09/757,765 (3 months)

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TC 1700

☐ U.S. Patent Application

for \_\_\_\_\_

with:

\_\_\_\_\_ sheets of drawing

\_\_\_\_\_ pages of claims J. \_\_\_\_\_

\_\_\_\_\_ pages of specifications

\_\_\_\_\_ check for \_\_\_\_\_

\_\_\_\_\_ Form 1449

\_\_\_\_\_ declaration & power

\_\_\_\_\_ of attorney

\_\_\_\_\_ transmittal letter

\_\_\_\_\_ abstract

☐ U.S. Trademark Application

for the mark \_\_\_\_\_

with:

\_\_\_\_\_ sheets of drawing

\_\_\_\_\_ declaration & power

\_\_\_\_\_ of attorney

\_\_\_\_\_ samples of use

\_\_\_\_\_ check for filing fee

☒ Communication on

Case No. 09/757,765

for Amend + 3 new ext

2 clks

Please deposit this postcard with the United States Postal Service after stamping an acknowledgement of receipt of the above checked items.

Thank You, Technology Law Offices